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**U.S. District Court**  
**Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:25-cv-07423-LJL-OTW**

Mirabal v. Deutsche Bank National Trust Company et al  
Assigned to: Judge Lewis J. Liman  
Referred to: Magistrate Judge Ona T. Wang  
Related Case: 1:25-cv-07418-LJL-OTW  
Cause: 42:1983 Civil Rights Act

Date Filed: 09/08/2025  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff****Mario Mirabal**

represented by **Mario Mirabal**  
563 W. 49th Street  
Miami Beach, FL 33140  
Email: Solphax@gmail.com  
PRO SE

V.

**Defendant**

**Deutsche Bank National Trust Company**  
*as trustee for IndyMac INDX Mortgage*  
*Loan Trust 2007-ARS*

**Defendant****PHH Mortgage Corporation****Defendant****KP Investments Miami, LLC****Defendant****Law Offices of Adorno & Cunill****Defendant****John Cunill, Esq.****Defendant****Amarillis Adorno, Esq.****Defendant****Damas Law****Defendant****Kenneth Damas, Esq.****Defendant**

**Greenberg Traurig, LLP**

**Defendant**

**Ari Newman, Esq.**

**Defendant**

**Beth A. Narrow, Esq.**

**Defendant**

**Brock & Scott, PLLC**

**Defendant**

**Matthew Marks, Esq.**

**Defendant**

**Quintairos, Prieto, Wood & Boyer, P.A.**

**Defendant**

**Mehwish A. Yousuf, Esq.**

**Defendant**

**Various Title Agents/Closers**

**Defendant**

**Eleventh Judicial Circuit Court Clerk**

*Official Capacity Only*

**Defendant**

**Sheriff of Miami-Dade County**

*Official Capacity Only*

| <b>Date Filed</b> | <b>#</b>  | <b>Docket Text</b>                                                                                                                                                                                                                                                                                                                |
|-------------------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11/03/2025        | <u>22</u> | PLAINTIFF'S EVIDENTIARY APPENDIX (EXHIBIT 1): FRAUD AND INCONSISTENCY INDEX AND FULL POOLING AND SERVICING AGREEMENT (INDYMAC INDX 2007-AR5). Document filed by Mario Mirabal. (Attachments: # <u>1</u> Exhibit Ex 1 to remark, # <u>2</u> Exhibit Ex 2 to remark, # <u>3</u> Exhibit Ex 3 to remark) (jjc) (Entered: 11/03/2025) |
| 11/03/2025        | <u>21</u> | PLAINTIFF'S MOTION TO EXPEDITE U.S. MARSHAL SERVICE AND TO CLARIFY STATUS OF PENDING PRELIMINARY-INJUNCTION APPLICATION; REQUEST FOR TEMPORARY ADMINISTRATIVE STAY PENDING SERVICE. Document filed by Mario Mirabal. (jjc) (Entered: 11/03/2025)                                                                                  |
| 10/15/2025        | <u>19</u> | PLAINTIFF'S SUPPLEMENTAL NOTICE OF CONTINUED STATE-COURT PROCEEDINGS AND PENDING MOTION FOR SUMMARY JUDGMENT IN EJECTMENT ACTION. Document filed by Mario Mirabal. (vfr) (Entered: 10/16/2025)                                                                                                                                    |
| 10/14/2025        | <u>20</u> | SUPPLEMENTAL NOTICE of STATE COURT CLOSURE ORDER FOLLOWING FEDERAL OBJECTION. Document filed by Mario Mirabal.(yv) (Entered: 10/17/2025)                                                                                                                                                                                          |
| 10/14/2025        | <u>18</u> | SUPPLEMENTAL NOTICE IN SUPPORT OF PENDING REQUEST FOR PRELIMINARY INJUNCTION AND NOTICE OF STATE-COURT EXHAUSTION                                                                                                                                                                                                                 |

|            |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|------------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            |           | AND PROCEDURAL IRREGULARITIES. Document filed by Mario Mirabal.(yv) (Entered: 10/16/2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 10/09/2025 | <u>17</u> | AMENDED ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for General Pretrial (includes scheduling, discovery, non-dispositive pretrial motions, and settlement). Referred to Magistrate Judge Ona T. Wang. The parties are directed to contact the chambers of Magistrate Judge Wang. Motions referred to Ona T. Wang. (Signed by Judge Lewis J. Liman on 10/9/2025) (tg) (Entered: 10/10/2025)                                                                                                                                                                                                                                                                                                          |
| 10/07/2025 | <u>15</u> | PLAINTIFF'S MOTION TO WAIVE RULE 65(c) BOND REQUIREMENT. Document filed by Mario Mirabal.(sgz) (Entered: 10/08/2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 10/07/2025 | <u>14</u> | SECOND EMERGENCY SUPPLEMENTAL NOTICE IN SUPPORT OF PENDING MOTION FOR PRELIMINARY INJUNCTION AND REQUEST FOR PROTECTIVE RELIEF AGAINST CONTINUED STATE PROSECUTION BY FEDERAL DEFENDANTS. Document filed by Mario Mirabal. (vfr) (Entered: 10/07/2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 10/06/2025 | <u>16</u> | EMERGENCY SUPPLEMENTAL NOTICE IN SUPPORT OF PENDING MOTION FOR PRELIMINARY INJUNCTION AND REQUEST FOR URGENT PROTECTIVE INTERVENTION. Document filed by Mario Mirabal. (tg) (Entered: 10/08/2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 09/30/2025 |           | NOTICE OF REDESIGNATION TO ANOTHER MAGISTRATE JUDGE. The above entitled action has been redesignated to Magistrate Judge Ona T. Wang to handle matters that may be referred in this case. Please note that this is a reassignment of the designation only. (tro) (Entered: 09/30/2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 09/30/2025 |           | NOTICE OF CASE REASSIGNMENT to Judge Lewis J. Liman. Judge John P. Cronan is no longer assigned to the case. (tro) (Entered: 09/30/2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 09/30/2025 |           | CASE ACCEPTED AS RELATED. Create association to 1:25-cv-07418-LJL. Notice of Assignment to follow. (tro) (Entered: 09/30/2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 09/30/2025 | <u>13</u> | MARSHAL'S PROCESS RECEIPT AND RETURN OF SERVICE UNEXECUTED as to Amarillis Adorno, Esq.. Attempted Service of Summons and Complaint. Service was attempted on 9/30/2025. Document filed by Mario Mirabal. (jjc) (Entered: 09/30/2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 09/30/2025 | <u>12</u> | REQUEST FOR ISSUANCE OF SUMMONS as to Beth A. Norrow, re: <u>1</u> Complaint. Document filed by Mario Mirabal. (jjc) (Entered: 09/30/2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 09/24/2025 | <u>11</u> | ORDER GRANTING IFP APPLICATION: The Court grants Mirabal leave to proceed in this Court without prepayment of fees. See 28 U.S.C. § 1915. SO ORDERED. (Signed by Magistrate Judge Sarah Netburn on 9/24/2025) (dsh) (Entered: 09/24/2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 09/22/2025 | <u>10</u> | REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by Mario Mirabal. (rju) (Entered: 09/23/2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 09/18/2025 | <u>9</u>  | ORDER denying <u>8</u> Motion to Seal. Plaintiff's request to file the Application to Proceed Without Prepaying Fees or Costs form under seal is DENIED. If Plaintiff elects to publicly file such form, and IFP status is granted, Plaintiff must also provide service addresses for each Defendant to allow for service by the U.S. Marshals Service. If Plaintiff declines to seek IFP status or if IFP status is denied, Plaintiff may request the issuance of summons to serve the Defendants himself. Plaintiff is encouraged to contact the City Bar Justice Center to assist with such process. The Clerk of Court is requested to terminate the motion at ECF No. 8.SO ORDERED. (See ORDER). (Signed by Magistrate Judge Sarah Netburn on 9/18/2025) (dsh) (Entered: 09/18/2025) |
| 09/17/2025 | <u>8</u>  | MOTION TO FILE AO 239 APPLICATION UNDER SEAL. Document filed by Mario Mirabal.(tg) (Entered: 09/17/2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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| 09/16/2025 | <u>7</u> | ORDER: On September 11, 2025, Plaintiff submitted a request to proceed in forma pauperis. Plaintiff stated that he submitted the required Application to Proceed Without Prepaying Fees or Costs form, but the form was not included in the materials received by the Court. Accordingly, Plaintiff is ORDERED to complete the attached Application to Proceed Without Prepaying Fees or Costs form. SO ORDERED. (Signed by Magistrate Judge Sarah Netburn on 9/16/2025) (dsh) (Entered: 09/16/2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 09/12/2025 | <u>6</u> | ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for General Pretrial (includes scheduling, discovery, non-dispositive pretrial motions, and settlement) and Dispositive Motion (i.e., motion requiring a Report and Recommendation). Referred to Magistrate Judge Sarah Netburn. SO ORDERED. (Signed by Judge John P. Cronan on 9/12/2025) (jca) (Entered: 09/12/2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 09/11/2025 | <u>5</u> | REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by Mario Mirabal.. (rro) (Entered: 09/11/2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 09/09/2025 |          | CASE MANAGEMENT NOTE: For each electronic filing made in a case involving a self-represented party who has not consented to electronic service, the filing party must serve the document on such self-represented party in a manner permitted by Fed. R. Civ. P. 5(b) (2) (other than through the ECF system) and file proof of service for each document so served. Please see <u>Rule 9.2</u> of the courts ECF Rules & Instructions for further information.. (jca) (Entered: 09/09/2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 09/09/2025 | <u>4</u> | STANDING ORDER IN RE CASES FILED BY PRO SE PLAINTIFFS (See 24-MISC-127 Standing Order filed March 18, 2024). To ensure that all cases heard in the Southern District of New York are handled promptly and efficiently, all parties must keep the court apprised of any new contact information. It is a party's obligation to provide an address for service; service of court orders cannot be accomplished if a party does not update the court when a change of address occurs. Accordingly, all self-represented litigants are hereby ORDERED to inform the court of each change in their address or electronic contact information. Parties may <u>consent to electronic service</u> to receive notifications of court filings by email, rather than relying on regular mail delivery. Parties may also ask the court for <u>permission to file documents electronically</u> . Forms, including instructions for consenting to electronic service and requesting permission to file documents electronically, may be found by clicking on the hyperlinks in this order, or by accessing the forms on the courts website, <a href="https://nysd.uscourts.gov/forms">nysd.uscourts.gov/forms</a> . The procedures that follow apply only to cases filed by pro se plaintiffs. If the court receives notice from the United States Postal Service that an order has been returned to the court, or otherwise receives information that the address of record for a self-represented plaintiff is no longer valid, the court may issue an Order to Show Cause why the case should not be dismissed without prejudice for failure to comply with this order. Such order will be sent to the plaintiffs last known address and will also be viewable on the court's electronic docket. A notice directing the parties' attention to this order shall be docketed (and mailed to any self-represented party that has appeared and has not consented to electronic service) upon the opening of each case or miscellaneous matter that is classified as pro se in the court's records. (Signed by Chief Judge Laura Taylor Swain on 3/18/2024) (jca) (Entered: 09/09/2025) |
| 09/08/2025 |          | Magistrate Judge Sarah Netburn is designated to handle matters that may be referred in this case. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: <a href="https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf">https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf</a> . (nb) (Entered: 09/11/2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 09/08/2025 | <u>3</u> | PRO SE CONSENT TO RECEIVE ELECTRONIC SERVICE. The following party: Mario Mirabal consents to receive electronic service via the ECF system. Document filed by                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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|------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            |          | Mario Mirabal.(jca) (Entered: 09/09/2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 09/08/2025 | <u>2</u> | CIVIL COVER SHEET filed. (jca) (Entered: 09/09/2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 09/08/2025 |          | Case Designated ECF. (jca) (Entered: 09/09/2025)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 09/08/2025 | <u>1</u> | COMPLAINT against Amarillis Adorno, Esq., Brock & Scott, PLLC, John Cunill, Esq., Damas Law, Kenneth Damas, Esq., Deutsche Bank National Trust Company, Eleventh Judicial Circuit Court Clerk, Greenberg Traurig, LLP, KP Investments Miami, LLC, Law Offices of Adorno & Cunill, Matthew Marks, Esq., Beth A. Narrow, Esq., Ari Newman, Esq., PHH Mortgage Corporation, Quintairos, Prieto, Wood & Boyer, P.A., Sheriff of Miami-Dade County, Various Title Agents/Closers, Mehwish A. Yousuf, Esq.. (Filing Fee \$ 405.00, Receipt Number 42943) Document filed by Mario Mirabal..(jca) Modified on 9/10/2025 (nb). (Entered: 09/09/2025) |

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